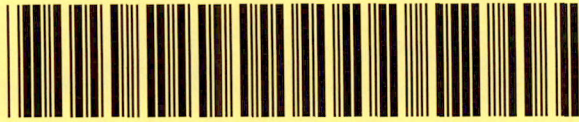


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DocumentID NONCD0002872

Site Name WALNUT COVE TIRE CENTER, INC

DocumentType Correspondence (C)

RptSegment

DocDate 4/7/2009

DocRcvd 4/7/2009

Box SF3436

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Hunter Willard
3299 Pressley Drive
Winston-Salem, NC 27107

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7005 1160 0004 7952 0162 ✓

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- Sender: Please print your name, address, and ZIP+4 in this box •

NC DENR – COLLIN DAY
DWM -SUPERFUND - IHSB
585 WAUGHTOWN STREET
WINSTON-SALEM, NC 27107



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Superfund

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Certified Fee

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Return Receipt Fee
(Endorsement Required)

2.20

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.32

Postmark
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Sent To

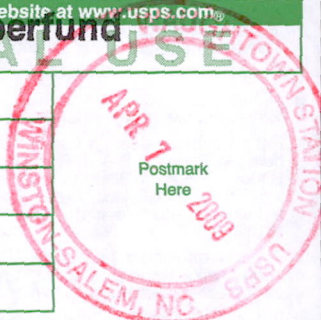
Hunter Willard

Street, Apt. No.;
or PO Box No.

3299 Pressley Drive

City, State, ZIP+4

Winston-Salem, NC 27107



CO

2910 2562 4000 0977 5002
7005 1160 0004 7952 0162

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- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

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- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

PS Form 3811, June 2002 (Reverse)



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

April 7, 2009

CERTIFIED MAIL 7005 1160 0004 7952 0162
RETURN RECEIPT REQUESTED

Mr. Hunter Willard
3299 Pressley Drive
Winston-Salem, NC 27107

Re: **Notice of Regulatory Requirements for Contaminant Assessment and Cleanup-Walnut Cove Tire Center, 1293 U.S. Highway 311, Walnut Cove, Stokes County, NC 27052**

Dear Mr. Willard:

We are in receipt of a memorandum that serves as a project referral of the above referenced site to the Winston-Salem Regional Office (WSRO). This memorandum, as sent to our office from the Division of Waste Management Underground Storage Tank Section, concerns the issue of chlorinated hydrocarbon contamination in groundwater under the subject site. Since this contamination is of a non-petroleum nature and is believed to have not originated from an underground storage tank (UST) source, it will not be addressed under any of the current UST programs. We have reviewed the reports that have accompanied the memorandum from the UST Section and note that your site has been contaminated by substances that have affected soil and/or groundwater quality in excess of state regulatory standards.

More specifically, the groundwater samples collected during the previous site investigations, detected elevated levels of tetrachloroethene in excess of the maximum allowable concentrations established by North Carolina Administrative Code Title 15A 2L .0202. Consequently, you are required to assess and cleanup the contamination under one or more cleanup authorities. Regulatory oversight for the assessment and cleanup under all applicable authorities will be provided by the Division of Waste Management through its Superfund Section, Inactive Hazardous Sites Branch ("Branch").

Based on information provided to date, the Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310, *et seq.*, applies to your site. In addition, initial immediate actions may be required under 15A NCAC 2L, Groundwater Classifications and Standards.

I. ACTIONS REQUIRED AT THIS TIME:

Complete the Site Cleanup Questionnaire.

To comply with the requirements of State law, a Site Cleanup Questionnaire, available on the website noted at the end of this letter, must be completed and returned to the WSRO. The information you provide will be reviewed along with other information to prioritize the site, so please make certain that the information you provide is complete and accurate. Please note that your failure to inform the Branch of any nearby potable wells or other high-risk conditions may adversely affect the Branch's ability to identify this site as a higher-risk site.

Take Initial Abatement Actions Required Under 15A NCAC 2L.

If you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwaters of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the IHSRA.

II. ACTIONS REQUIRED AT THIS TIME:

Complete the Site Cleanup Questionnaire.

To comply with the requirements of State law, a Site Cleanup Questionnaire, available on the website noted at the end of this letter, must be completed and returned to the WSRO. The information you provide will be reviewed along with other information to prioritize the site, so please make certain that the information you provide is complete and accurate. Please note that your failure to inform the Branch of any nearby potable wells or other high-risk conditions may adversely affect the Branch's ability to identify this site as a higher-risk site.

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II. FUTURE ASSESSMENT AND CLEANUP ACTIVITIES:

All correspondence regarding this site should be sent to the Branch. Future assessment and cleanup activities (activities conducted after the initial abatement steps required in 15A NCAC 2L) may be conducted through the Voluntary Cleanup Program (discussed below) or pursuant to an Order issued under N.C. Gen. Stat. § 130A-310.3. In addition, if you choose not to conduct a cleanup through the Voluntary Cleanup Program, the site may be referred to the United States Environmental Protection Agency ("EPA"). If so referred, EPA will screen the site for Federal enforcement action under the Federal Superfund Program, established under the Comprehensive Environmental Responsibility, Compensation, and Liability Act ("CERCLA").

III. VOLUNTARY CLEANUP PROGRAM:

Under the IHSRA, persons who move forward to assess and remediate contamination, without being compelled to do so through formal legal action filed against them, are called "volunteers." To participate in the voluntary cleanup program, you will be required to enter into an administrative agreement with the Branch. The voluntary cleanup will proceed through the Registered Environmental Consultant Program or under direct oversight by the Branch Staff, as discussed below:

Agreement to Conduct Assessment and Remediation Through the Registered Environmental Consultant Program.

The Branch has a privatized oversight arm of the voluntary cleanup program known as the Registered Environmental Consultant ("REC") program. Based on the responses provided on the questionnaire (degree of hazard and public interest in the site), the Branch will determine whether a staff person or an REC will perform the oversight and approval of your assessment and cleanup action. Please note that having one or more of the conditions identified on the questionnaire does not necessarily preclude the site for qualifying for an REC-directed cleanup action.

Under the REC program, the volunteer hires an environmental consulting firm, which the State has approved as having met certain qualifications, to implement a cleanup and certify that the work is being performed in compliance with regulations. In other words, the REC's certifications of compliance are in place of direct oversight by the Branch. Details of the REC program can be found at

<http://www.wastenotnc.org/sfhome/recprog.htm>. If you have any questions specific to the REC Program, including how to participate, please contact the REC Program Manager, Kim Caulk, at (919) 508-8451.

Agreement to Conduct Assessment and Remediation Under State Oversight.

If the Branch determines that the site should be assessed and remediated pursuant to direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the remedial action will receive direct oversight by Branch staff.

IV. FAILURE TO RESPOND:

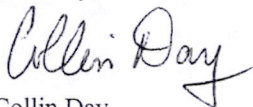
We request that you provide written correspondence to the WSRO within ten (30) days of the receipt date of our letter indicating your willingness to comply with the aforementioned issues. Please include with this correspondence a copy of the completed questionnaire. If we do not receive a completed questionnaire, the Branch will take further action to prioritize the site without your input. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against you. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a Unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup.

V. ADDITIONAL INFORMATION REGARDING THE IHSRA AND THE BRANCH:

People are often confused by the name of the Inactive Hazardous Sites Response Act and the Branch. By definition, "Inactive Hazardous Sites" are any areas where hazardous substances have come to be located and would include active and inactive facilities and a variety of property types. The term "inactive" simply refers to the fact that cleanup was inactive at large numbers of sites at the time of program enactment. Additional information about the Branch may be found at <http://www.wastenotnc.org/sfhome/ihsbrnch.htm>.

Submit completed the completed questionnaire to our attention at the letterhead address. If you have additional questions about the requirements that apply to your site, please contact us at (336) 771-5281.

Sincerely,



Collin Day
Hydrogeologist

cc: Brandon Moore, Paragon Environmental Consultants, Inc.
P.O. Box 157
Thomasville, NC 27361-0157
WSRO Files